

IN THE UNITED STATES DISTRICT FOR  
THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

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JEROME SCHMIDT, :No. 1:18-cv-00088-LY  
Plaintiff(s), :  
:  
v. :  
:  
UNITED STATES OF :  
AMERICA, :  
Defendant(s). :

-----x  
Friday, September 28, 2018

Videotape deposition of CHRISTOPHER M.  
LOFTUS, MD, held at the offices of VERITEXT  
LEGAL SOLUTIONS, 1801 Market Street, Suite  
1800, Philadelphia, Pennsylvania 19103,  
beginning at 1:44 p.m., on the above date,  
before Victoria A. Bramnick, a Professional  
Court Reporter and Notary Public in and for  
the Commonwealth of Pennsylvania.

1 this.

2 Dr. Lewine says that when he  
3 looked at the imaging between 2015 and 2018,  
4 he saw approximately 22 percent loss of brain  
5 volume.

6 Did you agree with that?

7 A. Well, I mean, you know, there's  
8 no dispute here, sir, that I think there's  
9 something bad going on in this gentleman's  
10 brain. The only question is, you know, why is  
11 it happening.

12 So, I could say, yeah, I agree  
13 with these things you're telling me, sure. I  
14 mean, his brain is disappearing for some  
15 reasons.

16 Q. Okay. And that's over a  
17 two-year period, right?

18 A. Two or three, right, 2015-2018.

19 Q. Have you had patients with  
20 Alzheimer's dementia in your practice?

21 A. I have.

22 Q. Did they, in your experience,  
23 experience such a dramatic loss of brain  
24 volume in the same time periods?

1 but as far as I'm concerned, that's where he  
2 was beginning to show the signs when he went  
3 to Dr. Mallett and had that MRI and said, my  
4 memory's not right. Now, to me, that's --  
5 that's the beginning --

6 Q. Well --

7 A. -- potentially of this whole  
8 disease process that he has. I can't -- I  
9 can't not take that into consideration.

10 Q. Sure.

11 Doctor, you're not diagnosing  
12 Dr. Schmidt with dementia, are you?

13 A. Well, I've read his deposition.  
14 I think he's pretty demented.

15 Q. Is that a clinical diagnosis  
16 you're providing Dr. -- for Dr. Schmidt?

17 A. No, I'm not qualified to do  
18 that.

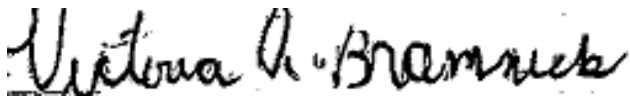
19 Q. Okay. Would you, at the very  
20 least --

21 A. Okay. Let's leave it this way.  
22 I think, in concert with what  
23 other experts in this case have said, and his  
24 treating physicians, this gentleman has major

C E R T I F I C A T E

I do hereby certify that I am a Notary Public in good standing, that the aforesaid testimony was taken before me, pursuant to notice, at the time and place indicated; that said deponent was by me duly sworn to tell the truth, the whole truth, and nothing but the truth; that the testimony of said deponent was correctly recorded in machine shorthand by me and thereafter transcribed under my supervision with computer-aided transcription; that the deposition is a true and correct record of the testimony given by the witness; and that I am neither of counsel nor kin to any party in said action, nor interested in the outcome thereof.

WITNESS my hand and official seal this 4th day of October, 2018.



Victoria A. Bramnick

Notary Public

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